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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 5th Day of June 1998

BEFORE

THE HON'BLE MR. JUSTICE CHANDRASHEKARAIHAH

WRIT PETITION NO.2868/1997

Between:

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1. H.Chandra Reddy,
S/o.Hanumappa,
Aged 48 years.
 2. Brijesh Reddy,
S/o.H.Chandra Reddy,
Aged 23 years.
 3. Ajay Kumar,
S/o.H.Chandra Reddy,
Aged 22 years.

...PETITIONERS

All the Petitioners are residing
at No.597, 2nd Cross, 3rd Block,
Koramangala, Bangalore.

(By Sri.S.Shivaram & Kesvy & Co., Advs.)

And:

1. Secretary,
Hullahalli Grama Panchayath,
Hullahalli, Jigani Taluk,
Bangalore South,
Bangalore.
2. Secretary to Government
of Karnataka,
Department of Ecology
and Environment,
4th Floor, Basaveswara
Bhavan, Bangalore.

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3. H.V.Narayan Reddy,
Major, 64/35, 7th Main,
2nd Block, (Near Canara
Bank), Jayanagar,
Bangalore - 560 011.

...RESPONDENTS

(By Sri.K.Nagaraja, HCGP for R-2)

. . . .

This Writ Petition is filed under Articles 226 and 227 of the Constitution of India with a prayer to declare that the licence issued by R1 as null and void and Restrain the Respondent not to issue fresh licence or renew licence for jelly power in favour of the R-3.

This Writ Petition coming on for Preliminary Hearing in 'B' Group this day, the Court made the following:-

O_R_D_E_R

The petitioners have filed this Writ Petition for a declaration that the licence issued by the 1st respondent in favour of the 3rd respondent as null and void on the ground that on account of the Jelly Power machine, the petitioners are not able to reap proper yield from the mango trees standing on their land which is by the side of the factory. The 3rd respondent though served remained absent. If any ~~aggrieved~~ persons file objections objecting

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the grant of licence or renewal of licence, the duty is cast on the Panchayath to consider the said objections before granting or renewing the licence. In this case, the petitioner has not produced the copy of the licence so as to know for what period the licence has been granted. Under these circumstances, I permit the petitioners to file objections before the Grama Panchayath seeking for cancellation of licence or ~~for~~ renewal of licence within two months from to-day. If such objections are filed, the respondent Grama Panchayath is directed to consider the said objection and dispose of the same immediately thereafter not later than six months.

With these observations, this Writ Petition is disposed of.



Sd/-
JUDGE

sps/*